

REMARKS

Applicant wishes to thank the Examiner for the acknowledgment of allowable subject matter. As discussed herein, the claims have been amended based on the Examiner's acknowledgment.

A. Claim Objections

The examiner's objection to the "the time" language of claim 20 has been addressed to the extent that this limitation has been amended in independent claim 16. Applicant submits that the objection may be withdrawn.

B. Claim Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-23 based on the "relatively longterm" average language. While the Applicant disagrees with the Examiner's conclusion, these claims have been amended to remove the language. It is submitted that the claims satisfy 35 U.S.C. § 112 and therefore, withdrawal of the rejection is requested.

C. Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected various claims under 35 U.S.C. § 102 in view of the disclosure of Sipin (US Patent no. 4,957,107). In accordance with the acknowledgment of allowable subject matter, claim 8 and claim 10 have been amended into independent form incorporating the limitations of their parent claims. Thus, claims 8 and 10 and dependent claims 5-7 and 11-13 are in condition for allowance.

Similarly, remaining independent method claim 1 and independent apparatus claims 14 and 16 have been amended and may be compared with the subject matter of claim 8, which is not disclosed in Sipin (US Patent no. 4,957,107). For this reason, Applicant submits that the remaining dependent claims 3, 15, 17-19 and 21-23 are now in condition for allowance. Thus, Applicant requests that the Examiner withdraw the rejections.

D. Conclusion

Accordingly, Applicant submits that the current application claims novel and non-obvious subject matter and is in condition for allowance. Early and favorable allowance is therefore requested.

Respectfully submitted,
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